

Examiner-Initiated Interview Summary	Application No.	Applicant(s)
	09/976,746	MCDONALD ET AL.
	Examiner	Art Unit
	Michael G. Hartley	1616

All Participants:

(1) Michael G. Hartley.

Status of Application: _____

(3) _____.

(2) Rebecca Rokos (Appl. repr.).

(4) _____.

Date of Interview: 21 April 2004

Time: _____

Type of Interview:

Telephonic
 Video Conference
 Personal (Copy given to: Applicant Applicant's representative)

Exhibit Shown or Demonstrated: Yes No

If Yes, provide a brief description:

Part I.

Rejection(s) discussed:

None

Claims discussed:

9-13 and 16

Prior art documents discussed:

None

Part II.

SUBSTANCE OF INTERVIEW DESCRIBING THE GENERAL NATURE OF WHAT WAS DISCUSSED:

Agreed to cancel non-elected claims, 9-13 and 16 by examiner's amendment to place case in condition for allowance.

Part III.

It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview directly resulted in the allowance of the application. The examiner will provide a written summary of the substance of the interview in the Notice of Allowability.
 It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview did not result in resolution of all issues. A brief summary by the examiner appears in Part II above.


 (Examiner/SPE Signature)

(Applicant/Applicant's Representative Signature – if appropriate)

Art Unit: 1616

Reasons for Allowance

The following is an examiner's statement of reasons for allowance: The primary reason for allowance is the inclusion of the shell material for the microsphere (albumin) and the particle type (gadolinium oxide) that is/are encapsulated between an inner and outer wall of the microsphere, as well as, the inclusion of two different imaging modalities in the method claims. The closest prior art, Unger US 6,416,740 teaches a wide range of diagnostic microspheres having a wide range of combinations of materials therefore. While Unger teaches the use of albumin in microspheres and also metal particles in broad embodiments, Unger fails to provide the requisite motivation to specifically choose the combination of microspheres having a shell that comprises albumin having an inner and outer shell (i.e., the microspheres have an inner space) and gadolinium oxide particles that are encapsulated within the shell material of the microspheres, as claimed.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael G. Hartley whose telephone number is (571) 272-0616. The examiner can normally be reached on M-F, 7:30-5, off alternative Mondays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thurman K. Page can be reached on (571) 272-0602. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Michael G. Hartley
Primary Examiner
Art Unit 1616